PLAIN LANGUAGE PAMPHLET OF THE PROFESSIONAL ENGINEERS ACT AND THE BOARD RULES

Revised 6/99

PREFACE

This pamphlet summarizes the more important laws and rules affecting engineers. Should conflicts or questions arise, the Professional Engineers Act (Act) will govern. The Act is found at Chapter 7 of Division 3 of the Business and Professions (B&P) Code, sections 6700-6799. These statutory provisions are further clarified and interpreted by the Board Rules, which comprise Sections 400-474.5 of Title 16, Chapter 5 of the California Code of Regulations (CCR). Numbers in parentheses at the end of each paragraph identify the applicable statutory or rule sections. Some information other than that contained in the law or rules is included to promote clarity and is enclosed in { } brackets.

If someone has any questions regarding the licensing process, they should make all such inquiries to the Board office in writing. If a prompt response is desired, a phone number should be included with the inquiry. If information is needed other than directly related to the status of an application, any of the following numbers may be called for the indicated information:

General Information (916) 263-2222

Application & Licensing Requests (916) 263-2222

Enforcement Matters (916) 263-2233 or 2250

Examination Appeals (916) 263-2279

Examination Information (916) 263-2277

The Board also has an INTERNET website so that the general public may obtain information about the Board via computer. Information on the website includes, but is not limited to the following information: consumer information, examination information, Board Laws and Rules, downloadable forms, and upcoming meetings. The web address is **www.dca.ca.gov/pels**

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Section 1: General Information

1: Q1. ***What is the purpose of the Professional Engineers Act?***

A1. To safeguard the life, health, property, and public welfare of the people of California.

(B & P 101.6, 6704, 6730)

1: Q2. ***How is the Act administered?***

A2. a. The Board for Professional Engineers and Land Surveyors (Board) consists of 13 members. Five are licensed Professional Engineers, one is a licensed Professional Land Surveyor, and seven are public members not licensed under the Act. The Board appoints an Executive Officer (EO) who, with staff, performs the Board's day-to-day business. Common functions to all boards and bureaus (e.g., automatic data processing, procurement, legal) are provided by the Department of Consumer Affairs.

b. The Board may appoint Technical Advisory Committees and other committees to assist in technical and professional issues.

(B & P 6711, 6712, 6714, 6726, 6726.1, 6726.2, 6726.3, 6726.4)

1: Q3. ***Where is the headquarters of the Board and what are the telephone numbers?***

A3. The street and mailing address is 2535 Capitol Oaks Drive, Suite 300, Sacramento, CA 95833-2944.
The main telephone number is (916) 263-2222. The FAX number is (916) 263-2246.
{If you are reporting a violation of the Engineers Act, call (916) 263-2233 (See Section 5, Question 1).
If you are requesting a replacement certificate, call (916) 263-2232 (See Section 3, Question 4.)}

(CCR 403)

1: Q4. ***How may a person contact individual Board members, the Executive Officer, or members of the Board staff?***

A4. A person may contact the Executive Officer or members of the staff by telephone at the numbers indicated above. For written contact, a person should address his or her letter to the individual concerned at the above address or, if no specific individual is desired, the letter should simply be addressed to the Board for Professional Engineers and Land Surveyors at the above address. All mail will be opened by the Board staff to expedite replies. When addressed to a specific Board member, it will then be forwarded to the member. If a letter is not to be opened by the staff, "Personal for (name) only," should be indicated on the envelope.

1: Q5. ***How may a person's opinions be shared with the Board?***

A5. There are two ways for a person to share his or her views with the Board. A person may write to the Board, or appear at a Board meeting and orally present opinions on matters of concern to the Board. You may also precede an appearance at a Board meeting with a letter. The first period of each Board meeting is open for public comment. An agenda for all Board or committee meetings is available free of charge. Please submit a request in writing and mail it to the Board at the address listed on the previous page. The complete Board agenda package for a single Board meeting is available to the public for a fee of $15 or can be viewed at the Board office at no charge. A single copy is made available to the public at Board meetings. {You may also contact the Executive Officer of the Board with your comments. The Executive Officer keeps the Board informed of public opinion during a portion of the Board meeting.}

Section 2: Licensing Information

SPECIFIC PROVISIONS

2: Q1. *What are the requirements for obtaining Engineer-in-Training (EIT) certification?*

A1. Comply with all of the following:

a. Not have committed any acts or crimes, which would be grounds for denial of certification (see Section 2, Question 18).

b. Complete three years or more of college in a Board approved engineering curriculum [any curriculum approved by the Engineering Accreditation Commission (EAC) of the Accreditation Board for Engineering and Technology (ABET)], or three years or more of engineering-related experience (e.g., work of any nature with an engineering exposure {such as with a consulting engineering firm, a construction contractor, CALTRANS, the engineering division of a public utility, etc.}.

c. Complete and submit the Board approved scannable EIT application form, by exactly following the accompanying directions. {An application package including this form may be requested from the Board office by mail, by telephone, by FAX, or in person (see Section 1, Question 3 for the Board address and telephone number), or it may be available from the Office of the Dean of Engineering at your college. Application forms are periodically updated. It is your responsibility to ensure that the current and correct form is filed. Applications will not be processed without a Social Security Number or an Individual Taxpayer Identification Number (ITIN)} You must sign this form certifying your eligibility in accordance with a. and b. above.

d. Submit the application fee with your application. See Section 2, Question 27 for the current fee.

e. Take and pass the eight-hour National Council of Examiners for Engineering and Surveying (NCEES) EIT examination.

f. See Section 2, Question 2 for persons who have passed an EIT exam in another state.

g. See Section 2, Question 3 for exemption provisions to waive the EIT exam

(B&P 475, 480, 6750, 6751; CCR 420, 438)

2: Q2. ***If an applicant passes the EIT examination in a state other than California, must the applicant pass the examination again in California to qualify for the professional engineer's examination?***

A2. No. Applicants will not be required to take an EIT exam a second time, provided the exam was an 8-hour written EIT exam and was a test of a person's knowledge of fundamental engineering subjects, including mathematics and basic sciences. Proof of taking and passing this examination must be verifiable by the appropriate state's Engineering Board.

(CCR 438)

2: Q3. ***Who is exempt from the requirement to pass the EIT as a prerequisite for the professional exam or comity?***

A3. a. A person who holds a valid certification as an EIT in another state obtained by passing an 8-hour written examination. (See Section 2, Question 2).

b. Board Approved Engineering Degree (ABET)

1. A person holding a BS degree in engineering from an ABET accredited curriculum (See Section 2, Question 1, part b) and has 15 or more years of qualifying work experience. Qualifying work experience is defined in Section 2, Question 5, part b.

2. A person holding a BS and a Masters degree in engineering from an ABET accredited program and has 14 or more years of qualifying work experience, provided that the Masters degree does not overlap with the work experience.

c. Board Approved Engineering Technology Degree (ABET)

1. A person holding a BS degree in engineering technology from an ABET accredited curriculum and has 17 or more years of qualifying work experience.

2. A person holding a BS degree in engineering technology and a Masters degree in engineering from an ABET accredited program, and has 16 or more years of qualifying work experience, provided that the Masters degree does not overlap with the work experience.

d. Non-Board Approved Engineering Degree

1. A person holding a BS degree in engineering from a non-ABET accredited curriculum and has 17 or more years of qualifying work experience.

2. A person holding a BS degree in engineering from a non-ABET accredited curriculum and a Masters degree in engineering from an ABET accredited program and has 16 or more years of qualifying work experience, provided that the Masters degree does not overlap with the work experience.

e. A person who is the holder of an earned doctorate in engineering in a curriculum at a university or college where the undergraduate engineering curriculum in the

same branch of engineering has been approved by the Board, or who is serving in a tenure-track faculty position in a Board-approved engineering curriculum, at the level of Assistant Professor or higher. This waiver is in effect until January 4, 2000.

f. A person who holds a valid license in another branch of professional engineering in California.

(B&P 6755, 6759; CCR 438)

Note: EIT waivers are not available to applicants without an earned BS degree in engineering, or to applicants with a non-ABET degree in engineering technology.

2: Q4. *What are the steps that an applicant must take to become licensed as a Professional Engineer by examination in any branch of engineering?*

A4. a. For all branches of engineering, comply with all of the following requirements:

(1) Not have committed any acts or crimes which would be grounds for denial of license (see Section 2, Question 18).

(2) Become certified as an "Engineer-in-Training" (EIT) by passing the EIT exam in California or in another state, or by qualifying for a waiver thereof (see Section 2, Questions 2 and 3).

(3) Obtain the Professional Engineer application package from the Board (see Section 1, Question 3 for the Board address and telephone number).

(4) Type the application and the engagement record portion of the Engagement Record and Reference Forms and include evidence of sufficient qualifying experience with no gaps or overlapping engagements and with all statements made under oath. *An engagement is a period of time for which engineering experience was gained without a significant change of responsibility*. The use of the words "see attached" and the inclusion of additional documents and/or a resume is not acceptable and may not be substituted for the completed engagement record portion of the forms. {As a suggestion, if the experience description is completed using a word processor and a printer which will allow for a smaller than normal type size, a great deal of information can be included on the form itself.} The engagement record portion of the forms must be completed in sufficient detail to allow the Board to determine that the nature and the extent of the engineering work claimed to have been performed by the applicant has indeed been qualifying (see Section 2, Question 19 for the required amount of experience to be verified). {While typing may seem to be an unreasonable requirement, the Board receives about 13,000 applications a year, all of which must be reviewed by several different people, and microfilmed. Hence, the requirement that the application and accompanying forms must be typewritten; handwritten applications and forms will not be accepted.}

(5) Sign the application and the engagement record portion of the Engagement Record and Reference Forms under

penalty of perjury. {Applications will not be processed without a Social Security Number or an Individual Taxpayer Identification Number.}

(6) Send the Engagement Record and Reference Forms to the required reference persons. (See Section 2, Questions 7, 25, & 26 for important information about references). The references must complete their portion of the form, sign the form, seal it in the envelope provided, sign across the flap (and affix their seal if appropriate) and return the sealed envelopes to the applicant.

(7) If the applicant is claiming experience credit for education, he or she should contact their college and have a current copy of his or her official transcript sent to him or her in a sealed envelope. Credit will only be given for education if an official transcript is received in a sealed envelope, and it clearly shows the degree received and the date it was issued. If a college will not provide an official transcript, or if the college is no longer in existence, the applicant should include certified photocopies of the transcripts in their possession. If the applicant's name as it appears on the transcript does not match the name used on the application, a change-of-name affidavit form must be filed with the application. Also, if the original transcript or other educational document is in a language other than English, a copy of it must be accompanied by an original certified English translation. Thus, foreign education from a non-English speaking university must be verified by certified copies of the original documents in the non-English language, and by the originals of the documents comprising the certified English translation. {Documents of this type do not need to be received in a sealed envelope}

(8) {If the applicant wishes to be notified when his or her application has been forwarded to professional staff for review and when the review of the application is complete, the applicant should return the two postcards included in the application package with his or her name and address on the front and the required postage affixed.]

(9) Return the two stamped cards (optional), the typed application, the typed Engagement Record and Reference Forms in the sealed envelopes, and the transcript (optional) in a sealed envelope, along with the applicable filing fee, to the Board. All of the foregoing material must be returned to the Board in the envelope provided and it must be postmarked or hand delivered by the final filing date. The California Board will obtain your EIT verification if you indicated on your professional application that you passed the EIT examination in another state.

(10) Complete and pass the take-home test on California engineering laws and the Board's rules. The test should be returned within 30 days of the time that it is provided to the applicant, or as soon as possible thereafter, in order to avoid any possible delay in issuing the applicant's license. {Comity applicants are mailed this exam; all others receive a copy at the examination site.]

(11) Pass the appropriate eight-hour professional engineer's examination.

b. For persons seeking a civil engineering license:

(1) Comply with all of the steps (1) through (11) listed above.

(2) In addition, the applicant must pass special tests on seismic principles and on engineering surveying principles, which are given as two additional 2½-hour proctored tests on the day after the regular eight-hour professional engineer's examination.

(B&P 480, 6750, 6751, 6755, 6755.1, 6755.2; CCR 420, 422, 427.10)

2: Q5. ***What type of activity constitutes qualifying experience for a professional engineer license and how many years of credit may be obtained for each type?***

A5. a. Credit is given toward the six-year qualifying experience requirement as follows:

(1) Undergraduate Education

(a) Four years' credit for graduation with an engineering degree from a Board approved engineering curriculum (see Section 2, Question 1, part b). Canadian engineering programs accredited by the Canadian Engineering Accreditation Board entitle the graduate to four years credit. Except in very unusual circumstances, the credit will be granted as of the date indicated on the official transcript that the degree was actually awarded. This four years' credit will NOT be given to a graduate from a non-ABET approved engineering curriculum.

(b) Two years credit for graduation with a bachelor's level engineering technology degree, or one year credit for graduation with an associate level engineering technology degree, from a technology curriculum which has been accredited by the Technology Accreditation Commission (TAC) of ABET.

(c) Two years credit for graduation with an engineering degree from any school whose engineering curriculum is not Board approved (this includes all foreign schools). Transcripts from foreign universities must be translated if not in English.

(d) The Board may at its discretion give credit as qualifying experience of up to one-half year for each year of successfully completed study (not to exceed two years' maximum credit) in an engineering curriculum which did not result in a four-year engineering degree. A year of undergraduate education is equal to 32 semester units or 48 quarter units. This credit will not be granted for any education which overlaps with qualifying work experience.

(e) A maximum of five years experience credit shall be granted for graduation from a cooperative (CO-OP)

work-study program from an engineering curriculum accredited by ABET.

(2) Post-Graduate Education

The Board may give a maximum of one year credit as qualifying experience for satisfactorily completed graduate work in an ABET-approved curriculum. No credit will be given for foreign graduate work or graduate work done in any non-ABET approved curriculum. Completed post-graduate work is work for which a degree has been received.

(3) Engineering Teaching

The law allows the Board to give a maximum of one year credit as qualifying experience for engineering teaching in a college curriculum, provided that an applicant is claiming no more than four years credit for education.

(4) Engineering Work Experience

Qualifying engineering work experience is that experience in the appropriate branch of engineering which has been gained while performing professional level engineering tasks under the direction of a person authorized to practice in the branch of engineering in which the applicant is seeking licensure. There is no limit to the amount of such qualifying experience which will be accepted by the Board, provided that the experience meets the other requirements indicated herein. Applied engineering research is considered to be an engineering task, which may constitute qualifying experience.

Work in management, proposal writing, contract administration, estimating, sales, and other peripheral areas, however, is presumed to contain little or no element of qualifying experience, and therefore an applicant must provide a detailed explanation of what portions of such work are actually qualifying and why the Board's presumption is not correct, if the applicant expects to obtain any credit for this type of work. Such peripheral experience will then be evaluated on a partial credit basis as applicable to each applicant's particular situation. Thus, the actual credit allowed may range from near zero to a substantial amount.

All civil engineering work experience must be gained while working under the direction of a licensed Civil Engineer.

For applicants claiming education credit, work experience must begin after the date of graduation, as shown on the transcripts, and be complete prior to the exam final filing date. Official school transcripts or an official letter from the College Registrar, indicating the date that all of the degree requirements were met, are the only acceptable means of verifying graduation dates. Applicants not claiming any

education credit must take and pass the EIT exam and be able to verify at least six years of professional level engineering work.

Subprofessional work such as work normally performed by a drafter or a technician is not qualifying. Nor is construction inspection qualifying. However, work as a field engineer may be qualifying. The distinction is covered by Section 6703.1 of the B & P Code, which reads as follows:

"'Supervision of the construction of engineering structures' means the periodic observation of materials and completed work to determine general compliance with plans, specifications, and design and planning concepts. However, `supervision of the construction of engineering structures' does not include responsibility for the superintendence of construction processes, site conditions, operations, equipment, personnel, or the maintenance of a safe place to work or any safety in, on, or about the site. For purposes of this subdivision, `periodic observation' means visits by an engineer, or his or her agent, to the site of a work of improvement."

Work between semesters while in college is not qualifying experience because (1) it is usually at a subprofessional level and (2) credit as experience cannot be given for two types of experience, which occur in the same time period. Since a full year's credit is given for two semesters or three quarters of schoolwork, giving credit for work performed during the summer would be double counting.

A problem area that often occurs with professional engineer applicants trying to use the same experience more than once. This happens because there is some degree of overlap between the various branches of engineering. Consequently, applicants often construe their experience as being all applicable to the one branch in which they are applying, so that they can gain maximum experience credit. They do not separate out different kinds of experience, but instead, they lump it altogether. The application reviewer, however, must apply a strict interpretation of the experience in each engineering branch, as determined by the statutes and the Board Rules. Thus, in such situations, the reviewer must attempt to determine from the information provided by the applicant, exactly how much of the applicant's experience can be accepted for credit toward licensure in the branch in which the person has applied, and invariably, the result is that the applicant often receives less credit than he or she expected. In situations where the applicant has verified only marginally sufficient experience, this often results in an applicant being found ineligible for lack of sufficient qualifying experience.

For instance, applicants frequently confuse what is civil engineering and what is traffic engineering. Engineering work such as traffic periodicity, street and highway capacity studies, traffic forecasting, signal placement and timing, pavement striping, parking lot layout, and other related items, are traffic engineering and do not count as civil engineering work experience. Other areas of engineering

such as geometric studies which are preliminary to the design of fixed works, e.g., the planning of intersection layouts and turnouts, may be used as experience credit for either civil engineering or traffic engineering, but the same experience cannot be used for both licenses because the experience requirements are different for both disciplines.

Similar overlaps occur between electrical engineering and traffic engineering. Engineering work such as signal system design, highway lighting, the design of special highway message signs, and the design of ramp or lane metering systems, while traffic related, is in fact electrical engineering, not traffic engineering.

Another area of overlap is piping design. The design of municipal water and sewer systems and their associated pipes is clearly civil engineering, but the design of similar piping systems which occur within a building (with the exception perhaps of nuclear power plants) is customarily considered to be mechanical engineering. Thus, as a handy rule of thumb, a building perimeter can be considered as a line of demarcation between the two disciplines when it comes to piping design.

Work experience which has been used to qualify for licensure in one branch of engineering may not be used again to qualify in another branch of engineering. Therefore, applicants who wish to qualify for licensure in more than one branch of engineering must provide evidence of sufficient qualifying experience in each branch in which they wish to seek licensure. In the situation where an applicant's professional experience includes work covered by more than one of the branches of engineering for which licensure is granted in California, the applicant should include with his or her description of their experience on a particular application a summary of only the experience which is pertinent to the branch of engineering covered by that application, and an indication of what percent of their total experience (what percent of the time for each engagement) is applicable to that branch of engineering. For instance, if a particular engagement includes some civil, electrical, and mechanical engineering work, an applicant applying for a mechanical engineer license should list the total time applicable to the entire engagement, should describe only the work experience applicable to the field of mechanical engineering, and should specify the percent of the time during that engagement that the mechanical engineering work was performed. An applicant for licensure as a Civil Engineer must have gained their work experience under the direction of a Civil Engineer legally qualified to practice in the state or country where the work was done.

Total months of qualifying experience does not include time spent in training (except in a recognized rotation program); subprofessional tasks, i.e., drafting, technician work, etc.; non-professional tasks, i.e., sales, construction, etc.; overtime (experience which consists of more than 40 hours per week); work in a second job ("moonlighting"); or

engineering not in the branch for which the applicant is applying. Thus, the total months of qualifying experience accepted by the Board may be less than the total number of months the applicant has claimed to have worked.

b. Credit is given toward the qualifying experience requirement for a waiver of the EIT examination as follows:

Same as provision a. (2), (3) and (4) above. {i.e. post-graduate education, engineering teaching, engineering work experience. NOTE: The education credit described in (a) above does not apply to EIT waiver applicants.}

(B&P 6731, 6751, 6751.2, 6752, 6753, 6753.5; CCR 404, 424, 460)

2: Q6. ***Can an applicant receive any experience credit toward a professional engineer license by passing either the EIT or LSIT examinations?***

A6. No! Experience credit toward Professional Engineer licensure has never been allowed for passing the LSIT examination, and the credit that used to be allowed is no longer provided for passing the EIT examination.

2: Q7. ***Must an applicant's references be licensed in the same engineering branch that the applicant is seeking licensure?***

A7. That depends. If the applicant is applying for licensure as a civil engineer, and the experience offered has taken place in the United States, all references must be licensed engineers authorized to practice civil engineering, or federal employees (see Section 2, Question 26, for more information). If a civil engineer applicant has had qualifying work experience outside of the United States, the references for that experience must be from persons authorized to practice civil engineering in accordance with the laws of the country in which the experience took place. If such references are not licensed civil engineers, they must provide information, which indicates by what authority they are authorized to practice civil engineering.

If the applicant is applying for licensure as an electrical or mechanical engineer, all references must be from engineers authorized to practice in the discipline in which the applicant is seeking licensure, by virtue of licensure or by exemption. Since licensed civil engineers are authorized to perform supplementary electrical and mechanical engineering work, such persons may serve as references if they meet other requirements. (see Section 2, Question 26 for information on satisfactory references). (See also Section 4, Question 13 for other exemptions from licensure which may be used as the basis on which an unlicensed person can provide a reference for an electrical or mechanical applicant).

If the applicant is applying for licensure in any of the remaining branches of professional engineering, all references must be from engineers who meet the satisfactory reference requirements of Section 2, Question 26. Since these other branches are not practice regulated, all engineers are authorized to practice in those branches, and thus any engineer can serve as a reference, provided, however, that the reference must have sufficient knowledge of the applicant's engineering specialty to be able to make knowledgeable comments about the applicant's performance on the job.

(CCR 427.10)

2: Q8. ***A person is a licensed professional engineer in another state with no place of business in California. That engineer's firm has just been awarded a design job for a California location. Does the Board have a temporary license category, which will allow that engineer to practice in California?***

A8. California law provides for a temporary license, but the law concerning temporary licensure has the same requirements as the requirements for comity and, in addition, the applicant must appear before the Board for an oral examination. {Therefore, The Board recommends that an applicant apply for comity since usually (but not always) the Board will not undertake to grant a temporary license. Processing the application in a minimum time depends on submission of a complete application and verification of the EIT and/or P.E. exams with other boards.

(B&P 6760)

2: Q9. ***What steps must an applicant take to obtain the authority to use the title "Structural Engineer?"***

A9. The applicant must comply with all of the following requirements:

a. Not have committed any acts or crimes, which would be grounds for denial of licensure (see Section 2, Question 18).

b. Have a valid, unexpired license as a Civil Engineer in California.

c. Obtain the Structural Engineer application package from the Board (see Section 1, Question 3 for the Board address and telephone number).

d. Obtain at least three references who are authorized to use the title, "Structural Engineer" from having passed the *Western Zone Structural Engineer Examination* and who have personal knowledge of the applicant's qualifying work experience. (See Section 2, Question 26, part c for information on how to obtain suitable references). These three references, taken together, must verify three full years (36 months) of responsible charge experience. Responsible charge experience does not begin until licensure as a professional or civil engineer has been obtained (in California the date used is that of the last part of the exam by which the applicant obtained his or her license). (See Section 2, Question 22, part d.)

e. Type the application and the engagement record portion of the Engagement Record and Reference Forms with all statements made under oath. The use of the words "see attached" and the inclusion of additional documents and/or a resume is not acceptable and may not be substituted for the completed engagement record portion of the forms. {As a suggestion, if the experience description is completed using a word processor and a printer which will allow for a smaller than normal type size, a great deal of information can be included on the form itself.} The engagement record portion of the forms must be completed in sufficient detail to allow the Board to determine that the nature and the extent of the structural engineering work claimed to have been performed by the applicant has indeed been qualifying. Since the space provided on each form for the description of experience is somewhat limited, it is permissible for the applicant to continue the description of his or her experience on another sheet of

paper, provided however, that the experience description must begin in the space provided on the board approved form. (See Section 2, Question 19 for the required amount of experience to be verified). {While typing may seem to be an unreasonable requirement, the Board receives about 13,000 applications a year, all of which must be reviewed by several different people, and microfilmed. Hence, the requirement that the application and accompanying forms must be typewritten; handwritten applications and forms will not be accepted.}

f. Sign the application and the engagement record portion of the Engagement Record and Reference Forms under penalty of perjury.

g. Send the Engagement Record and Reference Forms to the reference persons. The references must complete their portion of the form (PART B), sign the form, affix their seal or stamp to the form, seal it in the envelope provided, sign across the flap and affix their seal over their signature and return the sealed envelopes to the applicant. References from persons with structural authority in states other than California must be notarized to indicate that the license which qualifies that person to be a reference is still valid and unexpired.

h. {If the applicant wishes to be notified when his or her application has been forwarded to professional staff for review, and when the review of the application is complete, the applicant should return the two postcards included in the application package with his or her name and address on the front and the required postage affixed.}

i. Return the two stamped cards (optional), the typed application, the typed Engagement Record and Reference Forms in the sealed envelopes, along with the applicable filing fee, to the Board. All of the foregoing material must be returned to the Board in the envelope provided and it must be postmarked or hand delivered by the final filing date.

j. Take and pass the 16-hour California written Western Zone Structural Engineer Examination.

(B&P 6736, 6759, 6763; CCR 426.10 & 427.30)

2: Q10. ***May an applicant file for the structural authority sooner than three years after obtaining their license as a civil engineer in California?***

A10. Yes, under certain circumstances. The Board will consider an application submitted sooner than three years after licensure as a Civil Engineer in California by a person who meets any of the following requirements:

a. Has practiced under the exemption for officers and employees of the government of the United States of America; or:

b. Has actually practiced in responsible charge in another state (licensure in another state does not allow for responsible charge experience in California); or:

c. Has practiced in responsible charge in another country.

The Board will accept an applicant under any one of the above conditions provided that the conditions occurred prior to the time that the applicant arrived in California, provided that the applicant has six years of qualifying experience that can be counted toward the application for licensure as a Civil Engineer and at least three additional years experience in structural engineering work in excess of those six

years required for the civil engineering license, and further provided that an applicant who wishes to be considered under any of these provisions so indicates to the Board at the time of filing of his or her application, and files the application at least six months prior to the announced final filing date for the examination for which the applicant is applying.

(CCR 426.14)

2: Q11. ***What constitutes structural engineering work?***

A11. Structural engineering includes, but is not limited to the application of specialized civil engineering knowledge and experience to the design and analysis of buildings (or other structures) which are constructed or rehabilitated to resist forces induced by vertical and horizontal loads of a static and dynamic nature. This specialized knowledge includes familiarity with scientific and mathematical principles, experimental research data and practical construction methods and process, and the design and analysis shall include consideration of stability, deflection, stiffness and other structural phenomena that affect the behavior of buildings (or other structures). Checking of structural plans on major projects will also be considered as qualifying structural work when done under the immediate

supervision of and certified by a licensed Civil Engineer having authority to use the title "Structural Engineer." (See Section 2, Question 9)

(CCR 404, 426.12)

2: Q12. ***What type of experience is the Board looking for as it pertains to structural engineering work?***

A12. Structural design experience in all areas as specified in subdivisions (1)-(6) below because the stability of a structure is dependent upon the interaction of the individual structural components as well as the structure as a whole:

(1) Common Construction Materials - Steel, Concrete, Wood and Masonry: Be competent in the use of three of the four common construction materials of steel, concrete, wood, and masonry as they relate to the design, rehabilitation and/or investigation of buildings (or other structures);

(2) Determination of Lateral Forces - Have expertise regarding structural design to resist lateral forces, because the lateral stability of a building (or other structure) is critical to the safety of its occupants especially in an earthquake sensitive area such as California;

(3) Selection of Framing Systems - Have expertise regarding the selection of framing systems, which is the consideration of alternatives and the selection of an appropriate system for the interaction of structural components to support vertical and lateral loads;

(4) Selection of Foundation Systems - Have experience in the selection of foundation systems, which is the consideration of alternatives and the selection of an appropriate type of foundation system to support the structure;

(5) Application of Code Requirements - Be knowledgeable of all applicable local, state and federal legal requirements relating to design loads, materials, and detailing because the client (public) relies upon

the engineer to ensure that the structural design meets these requirements;

(6) Multi-story Buildings or Equivalent Multi-level Structures - Have experience with the design and detailing for the transfer of forces between stories in multi-story buildings or multi-story structures. A multi-story building is a building, which is, more than one story in height and which is not exempted pursuant to Section 6737.1 of the Code.

(CCR 426.11)

2: Q13. ***What steps must an applicant take to obtain the authority to use the title "Geotechnical Engineer?"***

A13. The applicant must comply with all of the following requirements:

a. Not have committed any acts or crimes, which would be grounds for denial of licensure (see Section 2, Question 18).

b. Have a valid, unexpired license as a Civil Engineer in California.

c. Obtain the Geotechnical Engineer application package from the Board (see Section 1, Question 3 for the Board address and telephone number).

d. Obtain at least four references who are licensed as civil engineers, two of which must be or must have been actively engaged in the practice of geotechnical engineering. {References are not required to hold the authority to use the title "Geotechnical Engineer", but such references are certainly acceptable}.

e. Type the application and the engagement record portion of the Engagement Record and Reference Forms with all statements made under oath. The use of the words "see attached" and the inclusion of additional documents and/or a resume is not acceptable and may not be substituted for the completed engagement record portion of the forms. {As a suggestion, if the experience description is completed using a word processor and a printer which will allow for a smaller than normal type size, a great deal of information can be included on the form itself.} The engagement record portion of the forms must be completed in sufficient detail to allow the Board to determine that the nature and the extent of the geotechnical engineering work claimed to have been performed by the applicant has indeed been qualifying (see Section 2, Question 19 for the required amount of experience to be verified). Since the space provided on each form for the description of experience is somewhat limited, it is permissible for the applicant to continue the description of his or her experience on another sheet of paper, provided however, that the experience description must begin in the space provided on the board approved form. {While typing may seem to be an unreasonable requirement, the Board receives about 13,000 applications a year, all of which must be reviewed by several different people, and are microfilmed. Hence, the requirement that the application and accompanying forms must be typewritten; handwritten applications and forms will not be accepted.}

f. Sign the application and the engagement record portion of the Engagement Record and Reference Forms under penalty of perjury.

g. Send the Engagement Record and Reference Forms to the

reference persons. The references must complete their portion of the form, sign the form, affix their seal or stamp to the form, seal it in the envelope provided, sign across the flap and affix their seal over their signature and return the sealed envelopes to the applicant. References from persons licensed in states other than California must be notarized to indicate that the license which qualifies that person to be a reference is still valid and unexpired.

h. If the applicant wishes to be notified when his or her application has been forwarded to professional staff for review, and when the review of the application is complete, the applicant should return the two postcards included in the application package with his or her name and address on the front and the required postage affixed.

i. Return the two stamped cards (optional), the typed application, the typed Engagement Record and Reference Forms in the sealed envelopes, along with the applicable filing fee, to the Board. All of the foregoing material must be returned to the Board in the envelope provided and it must be postmarked or hand delivered by the final filing date.

j. Take and pass the eight-hour written California geotechnical engineering examination.

(B&P 6736.1, 6763; CCR 420)

2: Q14. ***To be qualifying, how much of an applicant's work experience must be in geotechnical engineering?***

A14. Qualifying experience is geotechnical engineering experience satisfactory to the Board which has been gained on an equivalent full-time basis. If at least one-half of the applicant's full-time professional practice is in geotechnical engineering, credit will be given for an applicant's geotechnical engineering experience as a percentage of equivalent full-time work, except that a teacher of geotechnical engineering at an ABET accredited school of engineering will be given credit for applicable consulting work as a percentage of equivalent full-time work. Qualifying experience does not include overtime, training, management, subprofessional or non-engineering experience. Qualifying experience may be less than the total number of months worked.

(CCR 426.51)

2: Q15. ***What constitutes geotechnical engineering work?***

A15. Geotechnical engineering, as it relates to the authorization to use the title "Geotechnical Engineer", is the investigation and engineering evaluation of earth materials including soil, rock, groundwater and man-made materials and their interaction with earth retention systems, structural foundations and other civil engineering works. The practice involves application of the principles of soil mechanics and the earth sciences, and requires a knowledge of engineering laws, formulas, construction techniques and performance evaluation of civil engineering works influenced by earth materials. The terms "Geotechnical Engineer" and "Soils Engineer" are deemed to be synonymous with the term "Soil Engineer."

(B&P 6736.1; CCR 404(dd), 426.51)

2: Q16. ***What type of experience is the Board looking for as it pertains to geotechnical engineering work?***

A16. "Qualifying experience" means responsible charge of geotechnical engineering projects. Evidence shall be provided that the applicant has qualifying experience in the areas described in subdivisions (a), (c) and (e) herein and has demonstrated working knowledge in the areas described in subdivisions (b) and (d). At least one-half of the applicant's annual full-time professional practice shall be in geotechnical engineering, except that a teacher of geotechnical engineering and related courses at a Board approved school of engineering will be given credit for applicable consulting work as a percentage of equivalent full-time work. Applicable consulting work shall be substantiated by references and project documents.

a. Development of programs of geotechnical investigation which includes, but is not limited to:

(1) Communication with other design consultants to determine their geotechnical input needs:

(2) Performance of literature searches, site history analyses, etc., related to surface and subsurface conditions;

(3) Formulation or engineering evaluation of field exploration and laboratory testing programs to accomplish the scope of the investigation;

(4) Preparation or engineering evaluation of proposals.

b. Performance of geotechnical field and laboratory studies, which includes, but is not limited to:

(1) Direction and/or modification of field exploration programs, as required upon evaluation of the conditions being encountered;

(2) Classification and evaluation of subsurface conditions.

(3) Understanding the purposes for and being qualified to perform routine field and laboratory tests for:

(a) soil strength

(b) bearing capacity

(c) expansion properties

(d) consolidation characteristics

(e) soil collapse potential

(f) erosion potential

(g) compaction characteristics

(h) material acceptability for use in fill

(i) pavement support qualities

(j) freeze-thaw properties

(k) grain size

(l) permeability/percolation properties

c. Analysis of geotechnical data and engineering computations which includes, but is not limited to:

(1) Analysis of field and laboratory test results regarding:

(a) soil strength

(b) bearing capacity

(c) expansion properties

(d) consolidation characteristics

(e) soil collapse potential

(f) erosion potential

(g) compaction characteristics

(h) material acceptability for use in fill

(i) pavement support qualities

(j) freeze-thaw properties

(k) grain-size

(l) permeability/percolation properties

(m) groundwater conditions

(n) soil dynamic properties

(2) Performance of computations using test results and available data regarding:

(a) bearing capacity

(b) foundation type, depth, dimensions

(c) allowable soil bearing pressures

(d) potential settlement

(e) slope stability

(f) retaining systems

(g) soil treatment

(h) dewatering/drainage

(i) floor support

(j) pavement design

(k) site preparation

(l) fill construction

(m) liquefaction potential

(n) ground response to seismic forces

(o) groundwater problems; seepage

(p) underpinning

d. Performance or engineering evaluation of construction, post-construction and site monitoring which includes, but is not limited to:

(1) Performance or supervision of geotechnical testing and observation of site grading;

(2) Analysis, design and evaluation of instrumentation programs to evaluate or monitor various phenomena in the field, such as settlement, slope creep, porewater pressures and groundwater variations;

(3) Geotechnical observation during construction and/or installation, including but not limited to, spread foundations, drilled piers, piles, slurry walls, anchors, bulkheads, shoring, underpinning and subdrains;

(4) Engineering evaluation of soil-related distress.

e. Preparation or engineering evaluation of geotechnical reports which includes, but is not limited to:

(1) Preparation of appropriate plans, logs, test results and other exhibits;

(2) Documentation testing and observation;

(3) Preparation of written reports which present findings, conclusions and recommendations of the investigation;

(4) Preparation of specifications and guidelines for achieving the intent of subdivision (e)(3), above.

(CCR 426.51)

2: Q17. A person is a licensed Professional, Geotechnical, or Structural Engineer in another state of the United States. Can such an engineer obtain licensure in California (by comity) without retaking the regular written examinations?

A17. Usually, if the engineer complies with all of the following requirements:

a. Provide evidence of having passed an eight-hour, written EIT examination or be exempt therefrom (see Section 2, Question 3 for criteria for exemption).

b. Provide evidence of having gained licensure in another state by passing an eight-hour written professional engineering examination [except for structural and geotechnical engineering; see (h) below]. That license must be current at the time that the application is submitted, or it must have been transferred to another state where the other state license is current. An applicant for licensure as a professional engineer in California by comity may only receive such a license in one branch of engineering, unless the applicant has passed more than one 8-hour professional engineering examination. Thus, an applicant who has obtained one license in California by comity will usually have to take the professional engineer's examination for each additional branch of engineering in which they desire licensure. Furthermore, if an applicant cannot substantiate that he or she took a branch specific eight-hour written professional engineering examination, their application will be reviewed by members of the

Board prior to developing a decision whether or not to grant licensure by comity to the applicant.

c. For the branch of engineering in which the applicant is requesting comity with California, provide evidence that the applicant's education and experience is qualifying in conformance with California law. Thus, if an applicant's license in another state is generic (e.g., Professional Engineer) and is current, the applicant may gain licensure in the particular California branch to which his or her experience and education indicate the closest relationship, if any.

Submit the application package for the branch in which the applicant wishes to be considered. This application package is the same one as for taking the examination, so the applicant must indicate on the application that he or she desires comity. (See Section 2, Questions 4 and 9). Comity applicants submitting NCEES Council records must complete the *Application for Licensure as a Professional Engineer* form, items 1-12. Engagement Record and Reference Forms need not be submitted unless the NCEES council record is not current.

e. Enclose a check or money order for the application fee (see Section 2, Question 27 for the applicable fee).

f. Pass a take-home written test on California engineering laws and rules. In addition, to obtain a civil engineering license, an applicant must pass additional written tests on seismic principles and engineering surveying principles. (See Section 2, Question 4, part b).

g. Allow approximately three months for processing, as the Board must approve the applicant's license at scheduled Board meetings, which take place approximately every six weeks.

h. To obtain comity in structural engineering, an applicant must first become licensed as a Civil Engineer in California. For comity as a Structural Engineer, the applicant must have obtained licensure as a Structural Engineer by taking and passing the Western Zone Structural Engineer Examination. At present there is no comity with other states for geotechnical engineering. (See also Section 2, Question 9 for other application requirements.

(B&P 6759; CCR 437)

GENERAL PROVISIONS

2: Q18. ***What acts or crimes are grounds for denial of certification or licensure?***

A18. Such acts or crimes include, but are not limited to, any act which, if done by a licensee, would be grounds for disciplinary action against that licensee by the Board, conviction of a violation of any provision of the Professional Engineers Act (Chapter 7 of Division 3 of the B & P Code), or conviction of a felony arising from or in connection with the practice of professional engineering. Also, a crime or act shall be considered substantially related to the qualifications, functions and duties of a professional engineer if, to a substantial degree, it evidences present or potential unfitness of a professional engineer to perform the functions authorized by his or her license in a manner consistent with the public health, safety or welfare.

(B&P 480, 6775; CCR 416)

2: Q19. ***How much experience is required to qualify for each level of certification or licensure?***

A19. The required experience for each level of certification or licensure is as follows:

a. EIT

Three years of engineering-related work experience or three years of full-time study in a Board approved engineering curriculum (see Section 2, Question 1, part b).

b. PE

With an EIT certificate, six years of professional level qualifying experience in the branch of engineering in which the applicant is seeking licensure, less applicable credit for verified education (if any).

c. Geotechnical

Four years of responsible charge experience in geotechnical engineering after licensure as a civil engineer, less a maximum of one year credit for post-graduate education (if not previously used).

d. Structural

Three years of responsible charge experience in structural engineering after licensure as a civil engineer, except for persons who have been operating under an exemption or have been practicing in another state or country.

For all applications, qualifying experience will be considered to have been obtained only up to the date that the application was completed (the completion date is considered to be the date indicated by the latest date on which any reference signed the reference form, or the date that the application was signed, whichever comes first), except if the application was completed within 30 days of the final filing date (see Section 2, Question 21).

(B & P 6736.1, 6751; CCR 426.10, 426.14, 426.50)

2: Q20. ***What constitutes satisfactory evidence of qualifying experience in engineering work related to the field of engineering in which the applicant is applying?***

A20. a. PROFESSIONAL ENGINEERS:

(1) For academic credit:

(a) An official transcript of the applicant's grades and degrees furnished by the college in a sealed envelope. If any portion of this information is in other than the English language, it must be accompanied by a certified English translation.

(2) For work experience credit, including teaching:

(a) The typed summary of the applicant's experience as contained in the Engagement Record and Reference Forms, and positive recommendations by the references, including their verification of the applicants claim of qualifying experience.

(b) The summary of the applicant’s experience should include the following:

(i) Tasks or activities the applicant has participated in; e.g., design, analysis, plan checking, field inspection, start up review, etc.

(ii) The applicant's level of responsibility; e.g., drafter, junior engineer, engineering team leader, project engineer, engineering manager, vice-president of engineering, etc.

(iii) Engineering decisions made in connection with (iv) below; e.g., selection of type of material or equipment to be specified, type of system to be used, etc., including acceptance criteria.

(iv) Type of projects the applicant has worked on; e.g., bridges, buildings, electronic circuits, HVAC, major structures, transmission lines, water treatment facilities, etc. (The applicant should provide some detail such as the size of the project, [square feet, stories, acres, etc.] level of complexity, flow rates, capacity, or other pertinent data). The description should be of a selection of projects which indicates the breadth and depth of the experience gained. Projects do not necessarily have to be identified by name, but the description should contain sufficient technical information so that the reviewer can judge the importance of the project

and/or its uniqueness.

b. GEOTECHNICAL ENGINEERS:

(1) For academic credit for a postgraduate degree:

(a) An official transcript of the applicant's grades and degree furnished by the college in a sealed envelope. This credit will only be given if the degree was not used for credit to qualify for the applicant's civil engineering license.

(2) For work experience credit:

(a) The typed summary of the applicant's experience as contained in the Engagement Record and Reference Forms, and positive recommendations by the references, including their verification of the applicants claim of qualifying experience.

(b) The summary of the applicant's experience should include the following:

(i) The extent to which the applicant has been involved with the development of programs of geotechnical investigation.

(ii) The extent to which the applicant has performed geotechnical field and laboratory studies.

(iii) The extent to which the applicant has performed an analysis of geotechnical data and engineering computations.

(iv) The extent to which the applicant has performed an engineering evaluation of construction, post-construction, or site monitoring activities.

(v) The extent to which the applicant has prepared or performed an engineering evaluation of geotechnical reports.

c. STRUCTURAL ENGINEERS:

(1) There is no academic credit available to structural applicants, therefore no transcripts are required.

(2) For work experience credit:

(a) The typed summary of the applicant's experience as contained in the Engagement Record and Reference Forms, and positive recommendations by the references, including their verification of the applicants claim of qualifying experience.

(b) The summary of the applicant’s experience

should include the following:

(i) The types of projects on which the applicant has worked (buildings, bridges, other structures, etc.).

(ii) The structural system which the applicant selected for each project.

(iii) The construction material (wood, steel, masonry, or concrete) which made up the structural system chosen for each project.

(iv) The size of each project (square feet, stories, height, length, etc.).

It is not required to provide this information for every project on which the applicant worked, just a relevant sample of projects which will demonstrate the length and breadth of the applicant's structural engineering experience, and how the applicant meets the licensing requirements. Applicants providing insufficient detail will be notified for additional information.

2: Q21. ***Will the applicant be given experience credit up to the date of the examination for which the applicant has applied?***

A21. No. Experience credit will be given only to the completion date of the application, except that if the references are signed within 30 days preceding the final filing date, the applicant will be given credit to that final filing date (see Section 2, Question 19 for information concerning the completion date). In no case will experience credit be allowed for work experience which occurs after the final filing date.

Applications, which are incomplete or deficient by the final filing date will not be processed for the examination for which the applicant has applied. It is the applicant's responsibility to make sure that the application package is complete, that it contains all of the required information (Application form, Engagement Record and Reference Forms, transcripts, etc.) and that it is received by the Board by the final filing date.

(CCR 420, 424)

2: Q22. ***How is qualifying experience computed for the purpose of filing an application?***

A22. Qualifying experience is computed as follows, for each of the different levels of applicants:

a. For an EIT applicant, qualifying experience is that experience related to engineering which began no less than three years prior to the date of filing of the application.

b. For a professional engineer applicant who does not have an engineering or engineering technology degree, or who cannot verify that degree, qualifying experience is counted from the date on which the applicant first began working at a professional level and was performing engineering tasks. For an applicant who has an engineering degree or an accredited engineering technology degree, qualifying experience is counted from the date of the first professional employment which began after the date of graduation, as shown on the transcripts.

c. For a geotechnical engineer applicant, qualifying experience is counted from the date of the last part of the examination, which was passed to obtain a license as a civil engineer, either in California, or in any other state.

d. For a structural engineer applicant whose initial license as a civil engineer was obtained in California, qualifying experience is counted from the date of the last part of the examination which was passed to obtain that license as a civil engineer. For an applicant whose initial license was obtained in another state, qualifying experience is counted from the date of the last part of the examination which was passed to obtain that license as a civil engineer.. There are certain exceptions to this provision for persons who were employees of the Federal Government, or who were practicing in another country. (See CCR 426.14)

Qualifying experience for all applicants is only counted up to the date of filing of the application, unless the reference is signed within 30 days of the announced final filing date for an examination, in which case it is counted up to that final filing date, but no later.

(B&P 6736.1, 6751, 6753; CCR 424, 426.10, 426.14, 426.50)

2: Q23. *How much experience must be verified by the references?*

A23. A reference form must be submitted to verify each engagement for which the applicant desires credit. Lack of a reference for any period of experience will result in that period being excluded from consideration. The total time covered by all of the satisfactory references must be sufficient to demonstrate that the applicant meets the experience requirements.

(CCR 427.10)

2: Q24. *What does the term "responsible charge" mean?*

A24. The term "responsible charge" is defined in the statutes as follows:

> "The phrase `responsible charge of work' means the independent control and direction, by the use of initiative, skill, and independent judgment, of the investigation or design of professional engineering work or the direct engineering control of such projects. The phrase does not refer to the concept of financial liability".

This term is further defined in regulations adopted by the Board, which provide that "Responsible charge" directly relates to the span or degree of control a Professional Engineer is required to maintain while exercising independent control and direction of professional engineering work, and to the engineering decisions which can only be made by a licensed Professional Engineer.

a. Span of Control. The span of control necessary to be in responsible charge shall be such that the Engineer:

(1) Personally makes engineering decisions, or reviews and approves proposed decisions prior to their implementation, including consideration of alternatives, whenever engineering decisions which could affect the life, health, property or public welfare are made. In making engineering decisions, the Engineer must be physically present or through the use of communication devices be available in a reasonable period of time.

(2) Judges the qualifications of technical specialists and the validity and applicability of their recommendations before such recommendations are incorporated in the work.

b. Engineering Decisions. The term "responsible charge" relates to engineering decisions within the purview of the Professional Engineers Act and does not refer to management control in a hierarchy of Professional Engineers except as each of the individuals in the hierarchy exercises independent engineering judgment and, thus, responsible charge. It does not refer to such administrative and personnel management functions as accounting, labor relations, performance standards, marketing of service and goal setting. While an Engineer may also have such duties in this position, it should not enhance or decrease one's status of being in responsible charge of the work. The phrase does not refer to the concepts of financial liability. Engineering decisions which must be made by and are the responsibility of the Engineer in responsible charge are those decisions concerning permanent or temporary work which would create a hazard to life, health, property or public welfare. Such engineering decisions are those generally made at the project level or higher. These decisions may include, but are not limited to:

(1) The selection of engineering alternatives to be investigated and the comparison of alternatives for engineering works;

(2) The selection or development of design standards or methods, and materials to be used;

(3) The selection or development of techniques or methods of testing to be used in evaluating, fabrication or construction methods or controls to be used and the evaluation of test results, materials and workmanship insofar as they affect the character and integrity of the completed work;

(4) The review and evaluation of manufacturing, fabrication or construction methods or controls to be used and the evaluation of test results, materials and workmanship insofar as they affect the character and integrity of the completed work;

(5) The development and control of operating and maintenance procedures.

c. Responsible Charge Criteria. As a test to evaluate whether an Engineer is in responsible charge, the following must be considered: The Professional Engineer who signs engineering documents must be capable of answering questions asked by equally qualified engineers. These questions would be relevant to the engineering decisions made during the individual's participation in the project, and in sufficient detail to leave little question as to the Engineer's technical knowledge of the work performed. It is not necessary to defend decisions as in an adversary situation, but only to demonstrate that the individual in responsible charge made them and possessed sufficient knowledge of the project to make them. Examples of questions to be answered by the Engineer could relate to criteria for design, methods of analysis, methods of manufacture and construction, selection of materials and systems, economics of alternate solutions, and environmental considerations. The individual should be able to clearly define the span or degree of control and how it is exercised both within the organization and geographically and to demonstrate that the Engineer is answerable within said span or degree of control.

d. See also Section 4, Questions 3, 4 and 5.

(B&P 6703; CCR 404.1)

2: Q25. ***How many references are required to be submitted with an application?***

A25. a. Applicants for licensure as a professional engineer, must submit a minimum of four satisfactory references from persons authorized to practice in the discipline in which the applicant is applying (see Section 2, Question 26) and who have personal knowledge of the applicant's qualifying experience and who are not related by blood or marriage to the applicant. Relatives may verify work experience, but cannot count as one of the four references. Since at least one reference must be submitted for each engagement claimed as qualifying experience, it may be necessary for an applicant to submit more than the minimum of four references. In any case, however, it is recommended that more than the minimum number of four references be submitted when possible to avoid delays in processing the application due to reference deficiencies. Both sides of the Engagement Record and Reference Form must be completed in its entirety.

b. In connection with an application for authority to use the title "Geotechnical Engineer," a minimum of four references is required. Since at least one reference must be submitted for each engagement claimed as qualifying experience, it may be necessary for an applicant to submit more than the minimum of four references. In any case, however, it is recommended that more than the minimum number of references be submitted when possible to avoid delays in processing the application due to reference deficiencies.

c. In connection within an application for authority to use the title "Structural Engineer", the applicant must submit references from at least three persons authorized to use the title "Structural Engineer" in California or in a state which has

a comity agreement with California and who have personal knowledge of the applicant's qualifying experience. Since at least one reference must be submitted for each engagement claimed as qualifying experience, it may be necessary for an applicant to submit more than the minimum of three references. In any case, however, it is recommended that more than the minimum number of references be submitted when possible to avoid delays in processing the application due to reference deficiencies.

(CCR 427.10, 427.20, 427.30)

2: Q26. ***What constitutes a satisfactory reference in connection with an application?***

A26.

a. For a professional engineer applicant, a satisfactory reference is one that contains a positive response from the reference person, one that is completed fully and signed by both the applicant and the reference person, one that is completed by a person who is not a relative of the applicant, and one which meets the additional requirements indicated herein. A *"Not yet ready"* response to the question, "Do you consider the applicant technically qualified to be licensed as a Professional Engineer?" is not considered a positive response from a reference when the application is evaluated, and will result in that reference being considered as unsatisfactory.

CIVIL ENGINEER

In general, civil engineer applicants are required to provide references from licensed civil engineers or from persons otherwise authorized to practice civil engineering. Except for applicants with qualifying experience gained while in Federal employment, all civil engineer applicants verifying California work experience must provide references from persons who are licensed as civil engineers in California. {Unlicensed persons or persons not licensed in the applicant's branch of engineering, who are completing reference forms for federal employees, should indicate their educational background or other information to signify their engineering qualifications}. If a civil engineer applicant has had qualifying work experience outside of the United States, the references for that experience must be from persons authorized to practice civil engineering in accordance with the laws of the country in which the experience took place. If such references are not licensed engineers, they must provide information which indicates by what authority they are (or were) authorized to practice civil engineering in that country. For civil engineering work experience which was gained in California or any other place where such work is required to be under the jurisdiction of a licensed civil engineer, at least one of the applicants licensed references must be from someone who is or was in a supervisory capacity over the applicant, for each engagement for which the applicant desires credit. An engagement not verified by a licensed civil engineer supervisor will be considered as either non-civil engineering experience, or illegal civil engineering experience, and in either case it will not be acceptable.

ELECTRICAL and MECHANICAL ENGINEER

For electrical and mechanical engineer applicants who have worked in situations where they were not exempt from all licensing requirements, and for experience which has occurred in California, the reference forms must be signed by licensed engineers authorized to practice in

the branch in which the applicant is applying.

In California, electrical and mechanical engineering work performed by employees of the Federal Government, and employees of manufacturing, mining, public utility, research and development, or other industrial corporations is exempt, and thus, such employees may serve as references whether or not they are licensed as long as they are qualified to appraise the technical competency of the applicant.

Also, since licensed civil engineers are authorized to practice supplementary electrical and mechanical engineering, such engineers may serve as references. (See Section 4, Question 13 for a complete list of exemptions).

> (Typical examples of exempt employers would be aerospace companies such as Boeing, or McDonnell Douglas; public utilities such as San Diego Gas & Electric or P.G.&E.; manufacturers of electrical or mechanical equipment such as Allen Bradley, Square D, Trane or Carrier, etc.)
>
> (Examples of non-exempt employers are consulting electrical or mechanical engineering firms, and state and local governments).
>
> If the applicant has worked in a non-exempt situation, and if the applicant does not know or has not worked with sufficient licensed engineers in his or her field to be able to procure the minimum number of appropriately licensed references, the applicant can solicit any appropriately licensed engineer to review her/his work samples (drawings, calculations, reports, etc.). Based on that review and a discussion with the applicant, such an engineer can then serve as a reference. The foregoing procedure is only permissible for supplementary references, and it is based on the assumption that the applicant's primary reference for an engagement is a licensed supervisor. If all else fails, the applicant should contact the Board for instructions on how to obtain licensed references. In no case, however, will references from unlicensed persons or references not licensed in the applicant's branch of engineering be accepted in lieu of references from appropriately licensed engineers, when the requirement for having licensed references applies (i.e., when the applicant has been working in a non-exempt area). Persons working in California in industry or otherwise covered by the exemptions (See Section 4, Question 13) need not submit references from licensed engineers, but must submit sufficient references to cover the required period of experience. {The determination as to whether or not the employment is exempt is based on whether or not the employer is a corporation and usually, but not always, whether or not the primary business activity of the corporation is the making of a product}. {Unlicensed persons or persons not licensed in the applicant's branch of engineering, who are completing reference forms, should indicate their educational background or other information to signify their engineering qualifications (see Section 2, Question 7, for more information)}.

TITLE ACT ENGINEER

For applicants applying for licensure in any of the title act branches of professional engineering, all references must be from engineers who meet the satisfactory reference requirements described herein. Since these other branches are not practice regulated, all engineers are authorized to practice in those branches, and thus any engineer can serve as a reference.

For an applicant verifying experience which has occurred in another state, and where the applicant's experience did not fall under any of the exemptions existing in that state, the reference forms must be signed by a professional engineer authorized to practice in the state where the experience occurred. Applicants claiming to have worked under an exemption in another state shall indicate, and provide the basis for that exemption.

The Board will accept valid references from individuals licensed outside the U.S. if the applicant has had experience in another country. Applicants verifying experience in another country should use reference persons who are authorized to practice in that country.

GEOTECHNICAL ENGINEER

b. For a geotechnical engineer applicant, a satisfactory reference is one that contains a positive response from the reference person, is completed by a person who is not a relative of the applicant, is completed fully and signed by both the applicant and reference, and meets the additional requirements indicated herein. A "No" or "Don't know" response to the question, "Do you consider the applicant technically qualified to be licensed as a Geotechnical Engineer?" is not considered a positive response from a reference when the application is evaluated, and will result in that reference being considered as unsatisfactory. References from persons licensed as civil engineers in another state may be offered in addition to the required California civil engineer references, to supplement the applicant's experience verification.

The Board will accept valid references from individuals licensed outside the U.S. if the applicant has had experience in another country. Applicants verifying experience in another country should use reference persons who are authorized to practice in that country.

STRUCTURAL ENGINEER

c. For a structural engineer applicant, a satisfactory reference is one from a person who holds the structural authority in California or in a state that has a structural engineering comity agreement with California, is one that contains a positive response from the reference person, is completed by a person who is not a relative of the applicant, is completed fully and signed by both the applicant and reference, and meets the additional requirements indicated herein. An "I don't know" response from a reference to the question, "Do you consider the applicant technically qualified to be licensed as a Structural Engineer?" is not considered a positive response when the application is evaluated, and will result in that reference being considered as unsatisfactory. If the applicant does not know or has not worked with sufficient licensed structural engineers to be able to procure the minimum number of appropriate references, the applicant should review the "Important Notice" instructions that come with structural engineer application package, and if necessary, contact the Board for instructions on how to obtain the required references. In no case will references from persons licensed as civil or structural engineers in another country, in states without comity agreements, or from persons who are licensed only as civil engineers in California, be accepted in lieu of the minimum of three references from appropriately licensed structural engineers.

Such references may be offered in addition to the required references, however, to supplement the applicant's experience verification.

The Board will accept valid references from individuals licensed outside the U.S. if the applicant has had experience in another country. However, such references would be considered to be supplementary, and would have to be in addition to the three references from California or from Structural Engineers from states that have comity agreements with California.

d. In addition to whichever of the above apply, to be satisfactory, a reference person must also be able to indicate that his or her evaluation of the applicant is based upon personal knowledge, either gained by direct association in the work environment or by a review of sufficient and diverse work samples and an interview of the applicant. It is the applicants' responsibility to demonstrate their qualifications to the person who will be completing the reference form. Toward that end, in general the Board considers references in the following descending order of preference:

(1) immediate supervisors

(2) co-workers at equal or higher level

(3) indirect supervisors

(4) co-workers not closely associated with the applicant

(5) clients/others

In the case of an applicant whose experience appears to be marginal, or where there is a conflict between reference evaluations of the applicant, more weight will be given to reference sources who were in the best position to have personal knowledge of the applicant's qualifying experience (i.e., immediate supervisor, etc.).

(CCR 427.10, 427.20, 427.30)

2: Q27. *What are the application fees for the various branches of engineering, and how should they be transmitted to the Board?*

A27. a. The following are the fees that went into effect July 1, 2003:

(1) Certification as an Engineer-in-Training $100.

(2) Licensure as a Professional Engineer $275.

(3) Authority to use the title "Geotechnical Engineer" $275.

(4) Authority to use the title "Structural Engineer" $275.

b. All fees shall be transmitted by personal check, bank draft, or money order made payable to the Department of Consumer Affairs. {If an applicant's check is returned because of insufficient funds, processing of the application will cease until and unless a valid replacement (e.g. cashiers check or money order) is received, and this may cause an applicant to miss the examination for which he or she applied}.

c. Fees and applications transmitted through the United States mail shall be deemed to have been filed no earlier than the date shown by the post office cancellation mark, unless the applicant can provide satisfactory proof that the documents were mailed on an earlier date.

(B&P 6799)

2: Q28. ***If an applicant has special needs or requirements due to physical or mental disabilities, or religious beliefs, may the applicant request special treatment?***

A28. Yes. An applicant may request that the Board make special arrangements to deal with his or her specific needs. Such a request will only be considered, however, if it is submitted to the Board, in writing, at the time that the application is filed, and is accompanied by adequate evidence that such special arrangements are justified. Evidence of a special need includes, but is not limited to, a letter from a minister or a doctor.

Applicants who require special arrangements because of their physical needs should be aware that the Board fully complies with the Americans with Disabilities Act, and in the spirit of that law, the Board will make whatever accommodations are reasonable and necessary to assist applicants through the application and examination process.

2: Q29. ***When must applications be postmarked and when are examinations given in each branch of engineering?***

A29. The dates for examinations through 2003 are:

EXAMINATION DATE FINAL POSTMARK DATE FOR FILING

Engineer-in-Training EIT (Fundamentals of Engineering)

October 30, 1999 (Saturday) September 3, 1999 (Friday)

April 15, 2000 (Saturday) February 18, 2000 (Friday)

October 28, 2000 (Saturday) September 1, 2000 (Friday)

April 21, 2001 (Saturday) February 16, 2001 (Friday)

October 27, 2001 (Saturday) September 3, 2001 (Monday)

April 20, 2002 (Saturday) February 15, 2002 (Friday)

October 26, 2002 (Saturday) September 2, 2002 (Monday)

April 12, 2003 (Saturday) February 14, 2003 (Friday)

October 25, 2003 (Saturday) September 5, 2003 (Friday)

*Special Civil/Seismic Principles & Engineering Surveying Examinations

October 30, 1999 (Saturday) July 23, 1999 (Friday)

April 15, 2000 (Saturday) January 3, 2000 (Monday)

October 28, 2000 (Saturday) July 21, 2000 (Friday)

April 21, 2001 (Saturday) January 5, 2001 (Friday)

October 27, 2001 (Saturday) July 20, 2001 (Friday)

April 20, 2002 (Saturday) January 4, 2002 (Friday)

October 26, 2002 (Saturday) July 19, 2002 (Friday)

April 12, 2003 (Saturday) January 3, 2003 (Friday)

October 25, 2003 (Saturday) July 25, 2003 (Friday)

Chemical, Civil, Electrical, and Mechanical

October 29, 1999 (Friday) July 23, 1999 (Friday)

April 14, 2000 (Friday) January 3, 2000 (Monday)

October 27,2000 (Friday) July 21, 2000 (Friday)

April 20, 2001 (Friday) January 5, 2001 (Friday)

October 26, 2001 (Friday) July 20, 2001 (Friday)

April 19, 2002 (Friday) January 4, 2002 (Friday)

October 25, 2002 (Friday) July 19, 2002 (Friday)

April 11, 2003 (Friday) January 3, 2003 (Friday)

October 24, 2003 (Friday) July 25, 2003 (Friday)

Agricultural, Control System, Fire Protection, Geotechnical, Industrial, Manufacturing, Metallurgical, Nuclear, Petroleum, and Traffic

October 29, 1999 (Friday) July 23, 1999 (Friday)

October 27, 2000 (Friday) July 21, 2000 (Friday)

October 26, 2001 (Friday) July 20, 2001 (Friday)

October 25, 2002 (Friday) July 19, 2002 (Friday)

October 24, 2003 (Friday) July 25, 2003 (Friday)

Structural

October 29 & 30, 1999 (Friday and Saturday) July 23, 1999 (Friday)

October 27 & 28, 2000 (Friday and Saturday) July 21, 2000 (Friday)

October 26 & 27, 2001 (Friday and Saturday) July 20, 2001 (Friday)

October 25 & 26, 2002 (Friday and Saturday) July 19, 2002 (Friday)

October 24 & 25, 2003 (Friday and Saturday) July 25, 2003 (Friday)

The Board reserves the right to amend this schedule without advance notice. *Civil applicants applying for comity (reciprocity) in California must comply with the above final filing dates because they must take and pass special exams on seismic principles and engineering surveying as required by law. The Board no longer allows extensions of the final filing dates pending notification of previous test results of EIT/LSIT examinations.

(B&P 6754; CCR 436)

2: Q30. ***What happens if the Board finds that an applicant is not qualified to take the professional examination?***

A30. The Board will refund one-half of the application fee. Applications will be retained for two years. During this two-year period, the applicant must submit a new application to be processed for the next exam for which he or she wishes to apply. Unless the applicant files again within two years, references, transcripts and information submitted with the original application may not be used to complete a new application.

2: Q31. ***May an applicant appeal if he or she is found not qualified to take the examination?***

A31. Yes. The applicant's appeal must be presented in writing to the Executive Officer within 60 days of the postmark on the denial letter and shall state reasons for the appeal. An appeal shall be supported by additional evidence, more references, affidavits and supplemental information such that the Board may be better informed of the applicants qualifications. Appeals should include a list of all documents submitted or to be submitted on the applicants' behalf. (If an appeal is submitted within the specified time period but is granted too late for a particular exam, the applicant will be set for the next following exam in the branch for which the applicant has applied.) Again, the best way to avoid this situation is to make sure that the application is complete and that all the requirements have been met before filing. If the application has been denied, you may have the right to a hearing under the Administrative Procedure Act (Government Code Section 11500 et seq.) if you make a written request to the Board for hearing within 60 days after the postmark date of the appeal denial notice.

(CCR 429)

2: Q32. ***How long before the examination will an applicant know if he or she is authorized to take it?***

A32. At least ten days prior to the examination date.

(CCR 441)

2: Q33. ***What happens if, after an applicant applies for the examination and has been approved for the exam, he or she finds that they are unable to appear for the examination as scheduled?***

A33. An applicant may be given a postponement until the next examination but only for a reasonable cause. In view of the large number of no-shows at the EIT examinations (about 25%), and the professional examinations (about 15%), reasonable cause must be documented. The following are some examples of what the Board considers to be reasonable causes for postponements, and what is required in the way of documentation for each such cause:

a. Business commitment

(1) Required to spend extra ordinary hours at work prior to exam and, therefore could not study. THIS REQUIRES EMPLOYER VERIFICATION SPECIFYING LENGTH OF TIME AND NUMBER OF EXTRA HOURS. (This situation requires that the documentation be received no later than 10 days prior to the exam date - the request will be processed and an answer mailed by 3 days prior to the examination date.).

(2) Required to work on date of exam, as a result of unforeseen events, or because required by work to be out of town. REQUIRES EMPLOYER VERIFICATION.

b. Medical

(1) Sick or injured on the day of the examination. REQUIRES VERIFICATION FROM A DOCTOR.

(2) Serious illness, involving hospitalization, prevented attendance at examination. REQUIRES VERIFICATION

FROM A DOCTOR.

(3) Death, serious illness, or injury, to family member prevented attendance at examination. REQUIRES VERIFICATION FROM A DOCTOR; OR DEATH NOTICE/OBITUARY.

c. Mechanical

(1) Automobile breakdown or accident on the day of the examination. REQUIRES VERIFICATION FROM MECHANIC; OR REPAIR INVOICE; OR POLICE REPORT.

d. Court

(1) Required court appearance on the day of the examination. REQUIRES COPY OF SUBPOENA; OR STATEMENT FROM COURT CLERK.

e. Military

(1) Called to active duty. REQUIRES COPY OF ORDERS; OR STATEMENT FROM COMMANDING OFFICER.

Examples of non-qualifying causes are senior or picnic day at college, divorce proceedings not requiring court appearance on the day of the exam, personal business, visiting relatives, well-baby care, and academic requirements. Naturally, the above lists are not exhaustive and each situation must be decided on a case-by-case basis.

Requests for a postponement of the examination must be addressed to the Board Office, and except as noted above, must be postmarked not later than 10 days after the examination. Not more than two consecutive postponements may be granted. An applicant must appear for all portions of the examination as scheduled; if the applicant does not and no postponement is granted, the applicant will forfeit the application fee, his or her exam will not be graded, and he or she will be required to submit a refile application to sit for a future examination.

(CCR 428, 446)

2: Q34. *What constitutes an abandoned application?*

A34. In the absence of special circumstances any of the following actions by an applicant shall be considered abandonment of the application, and shall result in cancellation of the application with no refund of the filing fee.

a. Failure to provide additional information within 90 days following the mailing of a request by the Board's staff;

b. Failure to complete the examination within two years from the date of filing the application;

c. Failure to appear for examination at the designated time and place without obtaining a postponement or after having obtained two postponements. (See Section 2, Question 33.)

(CCR 428)

2: Q35. ***What kinds of actions are not permitted at examinations?***

A35.

a. Communication between examinees during examination is strictly prohibited, and examinees are forbidden to receive any unauthorized assistance in the examination.

b. Before the commencement of an examination, examinees will be required to hand to an examination proctor any unauthorized printed or written matter or other devices in their possession which might serve to provide unauthorized aid to them in the examination. Except for the EIT personal notes are allowed, however, examinees caught writing on anything other than their designated examination materials will be in violation of the Board's examination security policy and may result in your exam being confiscated, dismissal from the exam site and your exam being voided and not scored. Proctors will confiscate any material considered to be in violation. Self-contained, battery-operated, non-printing calculators will be permitted. Any calculating/computing device having a QWERTY keypad arrangement similar to a typewriter or a keyboard will not be allowed for the exam. These devices include, but are not limited to palmtop, laptop, handheld, or desktop computers, calculators, databanks, data collectors, and organizers. Calculators with alpha-numeric keypads are acceptable. The Board has the right to prohibit the use of any calculating device, which, in the opinion of the Board, may pose a threat to exam security. No electrical outlets will be available at any time.

c. Evidence of copying or collusion by an examinee may, in the discretion of the Board, result in the denial of the application, thereby forfeiting the application fee, and may prevent the examinee from qualifying for future examinations. If the examination subversion is serious enough, it may also subject the applicant to civil penalties. If the examinee is already licensed, the Board may take appropriate disciplinary action against that licensee, up to and including revocation of the license.

d. An applicant in any regular written examination who places any identifying mark upon the examination papers, other than the identification number, may have the application denied by the Board and will forfeit the application fee.

e. Writing or otherwise altering anything after time is called at the end of the examination session.

(B&P 123, 496; CCR 442)

2: Q36. ***If an applicant fails an examination, how does he or she apply to take it again?***

A36. The next time the exam is offered, the applicant must return his or her failure letter to the Board and include the correct filing fee. Depending upon when the failing notices were mailed, persons seeking to reapply may be given an extension beyond the regular final filing date in which to submit a refile application; if such is the case, the different filing deadline date will be indicated in the letter. See Section 2, Questions 27 and 29, respectively, for the current fees and final filing dates.

(CCR 421)

2: Q37. ***May an applicant inspect his or her graded examination*****?**

A37. An applicant can inspect only the design/essay problems for the purpose of appealing failing results. See Question 39

2: Q38. ***May an applicant inspect his or her graded multiple choice exam papers?***

A38. No! Multiple choice machine-gradable test questions are not open to review because multiple choice exams are not appealable.

2: Q39. ***May an applicant appeal the grading of his or her examination?***

A39. Candidates may review their examination for the purpose of appealing failing results if it meets the following criteria:

a) Is no more than 8 points below the passing score (cutscore) on a National Council of Examiners for Engineering and Surveying Professional Engineering examination

b) Is no more than 15% below the passing score (cutscore) on a State Specific Professional Engineering examination

Only the design/essay portion of an examination may be reviewed/appealed. Candidates must review their examination in order to appeal. Requests to review an examination and the $134 review/appeal fee must be submitted to the Board no later than 21 days from the date on the candidate's original notice of results. The dates and locations of review/appeal sessions are identified by the Board. No one other than the examinee and a representative of the Board shall have access to the examination papers.

Candidates are allowed 8 hours to review their examination and formulate an appeal. Appeals must be submitted at the conclusion of the review/appeal session.

To assist in the formulation of an appeal, candidates are provided with copies of the examination test booklets, the candidate's solutions, and the grading criteria for each problem. The grading criteria provided at review/appeal sessions may be modified from the form used by graders for the purpose of maintaining the security of the examination item bank. No solutions will be disclosed in the grading criteria. Candidates may bring reference materials to assist in writing an appeal. Any notes taken by the candidate during the review/appeal session are collected at the conclusion of the review/appeal session.

(CCR 443, 444)

2: Q40. ***What is the applicable appeal fee for filing an appeal against each type of examination?***

A40. The applicable appeal fees are as follows:

The EIT or any Multiple Choice portion of a Professional Engineer examination is not appealable.

For the design/essay portion of the Professional Engineer examination $134

For the design/essay portion of the Geotechnical Engineer examination $134

For the design/essay portion of the Structural Engineer examination $134

(CCR 407, 444)

2: Q41. ***If an examination appeal is not favorably considered, does an applicant have the right to file a second appeal, to have a hearing under the Administrative Procedure Act, or to pursue some other remedy?***

A41. The Board will not accept a second appeal, and there is no provision for an appellant to have an independent review under the Administrative Procedure Act. The only remedy, which a denied appellant may pursue, is to take appropriate legal action in the courts.

Section 3: License Renewal Procedures

3: Q1. ***After an applicant passes the examinations and becomes a licensed Professional Engineer, how long is their license valid?***

A1. Once an applicant has passed the examination(s), and the Board grants their license, it is valid until the next quarterly renewal date, which is at least 90 days from the issue date.

(B&P 6795; CCR 407)

3: Q2. ***How is renewal accomplished after that?***

A2. Sixty to Ninety days prior to the expiration of their license, the Board will mail to the licensee, at their address of record, a notice of pending expiration. This notice will include a form to use for license renewal. To renew a license, the licensee must remit the renewal fee of $150 using the renewal form provided by the Board. Whether or not a licensee receives a renewal notice, it is solely his or her responsibility to renew their license in a timely fashion. License renewal is valid for a period of two years.

If no payment is received by the expiration date, the Board will mail a second notice of expiration. A licensee can renew his or her license within 60 days of its expiration without penalty. However, it is important to note that you cannot legally practice your branch of engineering with an expired license. In addition to the renewal fee stated above, a license which is renewed more than 60 days after the expiration date is subject to an $75 delinquent fee.

Please Note: If the engineer is delinquent in the payment of child support, upon renewal he or she will only be issued a temporary license which will expire in 150 days, unless an appropriate release is obtained from the District Attorney of the county in which the engineers' children reside, and the release is submitted to the Board.

(B&P 136, 6795, 6795.1, 6796; Welfare & Inst. Code 11350.6; CCR 407, 412)

3: Q3. ***If an applicant or licensee changes his or her address, how soon must he or she notify the Board?***

A3. In writing, within 30 days.

(B&P 136; CCR 412)

3: Q4. ***How can a wallet certificate or a wall certificate be replaced if it is lost, destroyed or mutilated?***

A4. Write or call the Board at (916) 263-2222 for an Affidavit of Loss Form. Fill out the Affidavit and return it to the Board with the stated fee. {Licensees are issued only one wall certificate. Extra wall certificates are not available.}

3: Q5. ***If an engineer has not renewed his or her license within the timeframe allowed, what can he or she do to reinstate it?***

A5.

a. If the license has been expired less than 60 days, it may be renewed without penalty. {The license status during this time is delinquent.}

b. If the license has been expired for more than 60 days, but for less than three years, it is subject to a delinquency fee. The engineer should send in a check for the amount of the current two-year renewal fee plus the required $75 delinquency fee. Thus, anyone in this situation is currently required to pay the $150 renewal due for a two-year period and the $75 delinquency fee, for a total of $225.

c. A certificate which has been expired for more than three years cannot be renewed by merely paying the fees (See Question 6, below).

(B&P 163.5, 6796, 6796.3, 6799; CCR 407)

3: Q6. ***If an engineer's license or authority expired more than three years ago, what must that engineer do to again obtain a valid license?***

A6. After three years from the date on which a license expired, the license may not be renewed, restored, reinstated or reissued unless the engineer satisfies all of the following requirements:

a. He or she has not committed any acts or crimes constituting grounds for denial of licensure (See Section 2, Question 18).

b. He or she submits the full and complete application, which would be required of an engineer who was applying for the license for the first time.

c. He or she returns his or her original wall certificate, which is the property of the Board. An applicant who is unable to comply with this requirement must explain the circumstances which prevent compliance.

d. He or she submits a letter to the Board, accompanying the application, which explains in detail why he or she failed to timely renew his or her license.

e. He or she takes and passes the examination which would be required of an engineer who was applying for the license for the first time, or otherwise establishes to the satisfaction of the Board that he or she is qualified to practice the branch of engineering in which he or she seeks reinstatement.

f. He or she pays all of the fees that would be required of an engineer who was applying for licensure for the first time. Furthermore, if the engineer has been practicing in California during the period since his or her license expired, and is allowed to reinstate their license without taking an examination, he or she shall be required to pay all accrued and unpaid renewal fees.

(B&P 6796.3)

3: Q7. ***What authority does the Board have over an engineer whose license or authority had expired, but whose license or authority has now been renewed or reinstated, for the period of the expiration?***

A7. Once an expired license or authority is renewed, restored, reinstated, or reissued, all the following shall apply:

a. The Board shall continue to have full jurisdiction and authority over the licensee as if the license or authority had not expired.

b. The work performed by the licensee during the period of expiration shall be deemed lawful and validly performed as to persons or entities other than the licensee.

c. The renewal, restoration, reinstatement, or re-issuance of a license or authority shall not affect liability issues regarding work performed during a period of expiration or delinquency, nor does the fact of performance during a period of expiration on delinquency affect liability issues.

(B&P 6796.5)

3: Q8. ***If an engineer has not already done so, are they required to provide the Board with their Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN) upon renewal?***

A8. Yes. Applicants and licensees are required to provide the Board with a SSN or ITIN prior to the issuance or renewal of a license. Federal and state laws authorize the collection of the SSN or ITIN from any individual who holds a professional license or who is applying for such a license. The SSN or ITIN will be used exclusively for any or all of the following purposes:

a. tax enforcement;

b. compliance with any judgment or order for family support;

c. verification of licensure or examination status by a licensing or examining entity which utilizes a national examination and where licensure is reciprocal with the requesting state.

Failure to disclose the Social Security or Individual Taxpayer Identification Number when requested will be reported to the State Franchise Tax Board, which may assess a penalty of $100 against the engineer. {Applications will **NOT** be processed without a Social Security or Individual Taxpayer Identification Number.}

(B&P 30; Welfare and Institutions Code Section 11350.6; 42 USCA 405[c][2][C])

Section 4: Engineering Practice

4: Q1. Do all branches of licensure have the same restrictions under the law?

A1. No. There are three categories of licensure available in California: (1) those for which the practice is regulated in some form and which are commonly known as practice acts (civil, electrical and mechanical); (2) those for which only the use of certain specific engineering branch titles is regulated and which are commonly known as title acts; and (3) those which require prior licensure in a practice act branch and for which the authority to use certain titles is regulated. (geotechnical and structural) The latter are commonly known as title authorities.

4: Q2. ***What are the practice acts and what does this term mean?***

A2. The practice acts consist of the branches of civil, electrical, and mechanical engineering. Land surveying is a practice act as specified in Chapter 15 of the B&P Code. The term "practice act" is commonly understood to mean a branch of engineering or land surveying in which only a person appropriately licensed with the Board may practice or offer to practice unless exempt (See Section 4, Question 10, for exemptions). Also, only a person appropriately licensed may use the title Civil, Electrical, or Mechanical Engineer or Land Surveyor. (See also Section 4, Questions 3, 4, 5 and 6.)

(B&P 6702, 6702.1, 6702.2, 6704, 6730, 8700,8701,8704,8708; CCR 415)

4: Q3. ***What constitutes the practice of civil engineering?***

A3.

a. A person is practicing civil engineering when that person professes to be a civil engineer or is in responsible charge of civil engineering work. (See Section 2, Question 24)

b. Civil engineering embraces the following studies or activities in connection with fixed works for irrigation, drainage, waterpower, water supply, flood control, inland waterways, harbors, municipal improvements, railroads, highways, tunnels, airports and airways, purification of water, sewerage, refuse disposal, foundations, framed and homogeneous structures, buildings, or bridges:

(1) The economics of, the use and design of, materials of construction and the determination of their physical qualities.

(2) The periodic observation of the construction of engineering structures.

(3) The investigation of the laws, phenomena and forces of nature.

(4) The making of appraisals or valuations.

(5) The preparation or submission of designs, plans and specifications and engineering reports.

(6) Coordination of the work of professional, technical, or special consultants.

(7) The creation or modification of electronic or computerized data in the performance of the activities described in (1) through (6) above.

c. Civil engineering also includes city and regional planning insofar as any of the features in b. above are concerned.

d. Civil engineering also includes the practice or offer to practice, either in a public or private capacity, all of the following:

(1) The location, relocation, establishment, re-establishment, or retracement of the alignment or elevation for any of the fixed works embraced within the practice of civil engineering, as described in b. and c. above.

(2) The determination of the configuration or contour of the earth's surface, or the position of fixed objects thereon or related thereto, by means of measuring lines and angles, and applying the principles of trigonometry or photogrammetry.

(3) The creation or modification of electronic or computerized data in performance of the activities described in d.(1) and (2) above.

Subparagraphs d. (1) through (3) above, set forth the definition of engineering surveying.

(B&P 6702, 6703.1, 6731, 6731.1, 6734)

4: Q4. ***What constitutes the practice of electrical engineering?***

A4. A person is practicing electrical engineering when that person professes to be an Electrical Engineer or is in responsible charge of electrical engineering work. (See Section 2, Question 24) "Electrical engineering" is that branch of professional engineering which embraces studies or activities relating to the generation, transmission, and utilization of electrical energy, including the design of electrical, electronic and magnetic circuits and the technical control of their operation and of the design of electrical gear. It is concerned with research, organizational, and the economic aspects of the above.

(B&P 6702.1, 6734.1; CCR 404)

4: Q5. ***What constitutes the practice of mechanical engineering?***

A5. A person is practicing mechanical engineering when that person professes to be a Mechanical Engineer or is in responsible charge of mechanical engineering work. (See Section 2, Question 24) "Mechanical engineering" is that branch of professional engineering which deals with engineering problems relating to generation, transmission, and utilization of energy in the thermal or mechanical form and also with engineering problems relating to the production of tools, machinery, and their products and to heating, ventilation, refrigeration and plumbing. It is concerned with the research, design, production, operation, organizational, and economic aspects of the above.

(B&P 6702.2, 6734.2; CCR 404)

4: Q6. ***Who may legally be in responsible charge of civil engineering work in California?***

A6. Any civil engineer licensed in California, any employee of the Federal Government, when acting in such capacity, or any California licensed Architect, insofar as what is practiced is also within the definition of architecture.

4: Q7. ***Who may legally be in responsible charge of electrical engineering work in California?***

A7. Any civil or electrical engineer licensed in California; any employee of a mining, manufacturing, public utility, research and development, or other industrial corporation; any appropriately licensed Contractor who is doing design/build work; any California licensed Architect, insofar as what is practiced is also within the definition of architecture; and any employee of a communications company, which comes under the jurisdiction of the Public Utilities Commission (PUC); and any employee of a contractor engaged in work on communication equipment for communication companies which come under the jurisdiction of the PUC.

4: Q8. ***Who may legally practice in responsible charge of mechanical engineering work in California?***

A8. Any civil or mechanical engineer licensed in California, any employee of a mining, manufacturing, public utility, research and development, or other industrial corporation, any appropriately licensed Contractor who is doing design/build work, any California licensed Architect, insofar as what is practiced is also within the definition of architecture; and any employee of a communications company, which comes under the jurisdiction of the PUC; and any employee of a contractor engaged in work on communication equipment for communication companies which come under the jurisdiction of the PUC.

4: Q9. ***May anyone other than a licensed Land Surveyor practice land surveying?***

A9. Yes. A civil engineer licensed prior to January 1, 1982 may practice land surveying provided that the civil engineer is fully competent and proficient to do so. Also, any civil engineer may practice engineering surveying, as defined in Section 4, Question 3, (d).

(B&P 6731; CCR 415)

4: Q10. ***What are the title acts and what does this term mean?***

A10. The title acts consist of the branches of Agricultural, Chemical, Control System, Fire Protection, Industrial, Manufacturing, Metallurgical, Nuclear, Petroleum, and Traffic Engineering. The term "title act" applies to a branch of engineering in which only a person licensed in that branch may use the title of that engineering branch, but in which, insofar as the area of practice associated with such a branch does not overlap with civil, electrical, or mechanical engineering, anyone may perform the functions ("practice") covered by the definition of that branch. Thus, except as noted above, the term "Title Act" is commonly understood to mean a branch of engineering in which the branch title is regulated but the practice is not. For definitions of each title act branch, see CCR 404.

(B&P 6732; CCR 404)

4: Q11. ***What are the authorities and what does this term mean?***

A11. Authorities exist for two specialized areas of civil engineering: structural engineering and geotechnical/soils engineering. An authority indicates a proficiency in that field above that which is required for civil engineering licensure. As such, only the use of the title is restricted. Any Civil Engineer may practice structural engineering or geotechnical engineering except in those areas specifically restricted. The practice is restricted by laws and ordinances enacted by the State, counties, and municipalities after the authority was established. Currently, one must be licensed as a Structural Engineer to design hospitals and schools (primary, secondary, junior college). The titles "Geotechnical Engineer" and "Soils Engineer" are considered synonymous to "Soil Engineer" and have equal protection.

(B&P 6736, 6736.1; CCR 404, 415)

4: Q12. ***May a licensed Professional Engineer practice or perform engineering in any area of engineering allowed by that license?***

A12. Not necessarily. A licensed Professional Engineer shall practice and perform engineering work only in those fields in which the engineer is fully competent and proficient as a result of education or experience. However, this requirement does not prohibit a Professional Engineer from:

a. Signing plans which include work in areas other than that in which he or she is fully competent and proficient, if such work was performed by other engineers who were fully competent and proficient in such work;

b. Performing engineering work in areas involving the application of new principles, techniques, ideas or technology;

c. Supervising other engineers performing work in those areas in which the supervising engineer is not fully competent or proficient;

d. Signing plans, which include engineering work, portions of which were designed or required by any governmental agency.

(CCR 415)

4: Q13. ***Are there any exemptions to the Professional Engineers Act?***

A13. Yes, as follows:

a. A licensed architect is exempt from licensure as an engineer insofar as he or she practices architecture in its various branches as defined in the Architect's Act (B&P 5500 et seq.).

b. Any person may prepare plans, drawings or specifications for:

(1) single-family dwellings of woodframe construction not more than two stories and basement in height;

(2) multiple dwellings containing not more than four dwelling units of woodframe construction not more than two stories and basement in height and not to exceed four units on any lawfully divided lot;

(3) agricultural and ranch buildings of woodframe construction, unless the building official having jurisdiction deems that an undue risk to the public health, safety, or welfare is involved;

(4) garages or other structures appurtenant to buildings described above, and which are of woodframe construction not more than two stories and basement in height.

If any portion of b.(1) through (4) above deviates from substantial compliance with conventional framing requirements for woodframe construction found in the most recent edition of Title 24 of the California Code of Regulations or other state or local building codes, such portions shall be designed by, or under the direct supervision of a Licensed Architect or Engineer.

c. Certain exemptions are provided for contractors doing electrical and/or mechanical engineering work (but not for civil engineering work). The offer to practice and the practice of electrical and mechanical engineering work are exempt as long as they are done under the responsible charge of a licensed Electrical or Mechanical Engineer. Also, a contractor appropriately licensed for electrical or mechanical construction may design electrical or mechanical systems, which will be installed only by that contractor. (B&P 6737.3)

d. Officers and employees of the United States government are exempt when practicing solely as such officers or employees.

e. Certain communications engineering design work for companies under the jurisdiction of the Public Utilities Commission is exempt (but not civil engineering design work). (B&P 6704 and 6746).

f. Except for civil engineering work, any work done by a manufacturing, mining, public utility, research & development, or other industrial corporation, or by employees of such a corporation, which is done in connection with or incidental to the products, systems, or services of the corporation, is exempt, and therefore may be done by a person or persons not licensed by this Board. This exemption does not apply, however, to work done on nuclear power plants owned by private or public utilities. (B&P 6747 and 6748).

g. Other exemptions exist for:

(1) licensed real estate brokers or salespersons when making appraisals and valuations of real estate properties within the meaning of the California Real Estate Act (B&P 6742);

(2) civil engineering practiced by a person or business on property owned or leased by that entity not involving public or employee health or safety (B&P 6744);

(3) storefronts and interior alterations or additions not affecting the structural safety of the building (B&P 6745); and

(4) a subordinate to a licensed Civil, Electrical, or Mechanical Engineer.

(B&P 6737, 6737.1, 6737.2, 6737.3, 6737.4, 6739, 6740, 6742, 6744, 6745, 6746, 6747, 8730)

4: Q14. ***Can one or more civil, electrical, or mechanical engineers go into business to practice and offer to practice civil, electrical, or mechanical engineering as a sole proprietorship, partnership, firm, or corporation?***

A14. a. Yes, provided:

(1) a California licensed Civil, Electrical, or Mechanical Engineer is an owner, part owner, or directing officer in charge of the engineering practice of the business; and

(2) all engineering plans, specifications, reports, and documents are prepared under the responsible charge of an appropriately licensed engineer; and

(3) the licensed professional engineer who is the owner, part owner, or directing officer in charge of the engineering practice of the business files an Organization Record Form with the Board within 30 days of the association or termination or other change. {This form is available from the Board upon request.} The form shall disclose the name of the licensed professional engineer who is in responsible charge of each branch of engineering which the firm offers to practice.

b. Any person may also be a part owner or an officer of the business provided a.(1) through a.(3) are followed.

c. {There are other requirements for forming a corporation, which are not part of the Professional Engineers Act. These are under the purview of the Secretary of State.}

(B&P 6735, 6735.3, 6735.4, 6738; CCR 463)

4: Q15. ***May an out-of-state firm or person offer to practice civil engineering in California without first being licensed in this state?***

A15. Yes, provided that the person or firm is a nonresident of California, is legally qualified to practice as a Civil Engineer in another state, does not maintain a regular place of business in California, and does not practice civil engineering in California. If the person or firm is awarded an engineering job to be done in California, however, California licensure must be obtained.

(B&P 6741)

4: Q16. ***Must an engineer purchase a seal or stamp if he or she is licensed in California?***

A16. Yes.

(B&P 6764)

4: Q17. ***What is the design of the seal or stamp?***

A17. The required seal or stamp may be purchased from any convenient source, shall be either of the designs shown below, and shall be not less than one and one-half inches in diameter. At the option of the engineer, provision for the expiration date of the engineer's license may be contained within the seal or stamp. The date may either be directly included as part of the seal or stamp or appear directly under the license number. The approved device may either be an embossing type seal or a rubber stamp.

(B&P 6764; CCR 411)

Option A

Option B

The above depicted seals/stamps are only required for civil, electrical, or mechanical engineers. For all other engineers, the use of the expiration date in the seal/stamp is at the discretion of the licensee. For either of the above options there is an alternate method of displaying the expiration date: either the date can be built into the seal/stamp, in which case it becomes invalid every two years, or the word "expires" or a reasonable abbreviation thereof may be used along with a blank line upon which the expiration date would have to be handwritten each time the seal/stamp is used.

4: Q18. ***When must the seal be used on plans, specifications, reports, or documents?***

A18. Use of the seal is required of all persons licensed as civil, electrical, mechanical, structural, and/or geotechnical engineers and optional with all other licensed engineers. All final civil, electrical, or mechanical engineering plans, specifications, reports, or documents must bear the engineer's seal or stamp, as well as his or her signature and the expiration date of his or her license. If such final plans, specifications or reports have multiple pages or sheets, the seal or stamp, signature, and expiration date of the license must appear on each sheet of the originals of the plans, and on the original title page of the specifications and reports.

Engineers other than those licensed in the branches of civil, electrical or mechanical engineering may also use their seal or stamp at their discretion, or as required by the appropriate authorities.

(B&P 6735, 6735.3, 6735.4; CCR 411)

4: Q19. ***Are state, county, and municipal governments and their employees subject to the Professional Engineers Act?***

A19. Yes. However, if an unlicensed person was in responsible charge of engineering work on January 1, 1985, that agency and person will be exempt until the person is replaced.

(B&P 6730, 6730.2)

4: Q20. ***Who may use the title "Professional Engineer," "Consulting Engineer," "Registered Engineer," or Licensed Engineer?***

A20. Any person who holds a valid license as a professional engineer under the Professional Engineers Act may use all of these titles. In addition, certain persons who are not licensed engineers, but who were granted permission under past legislation, may use the title "Consulting Engineer".

(B&P 6732, 6732.1, 6732.2)

Section 5: Enforcement

5: Q1. ***What activities constitute offenses against the Professional Engineers Act by a person <u>not</u> appropriately licensed in California?***

5: A1. Misdemeanor violations include any of the following activities by someone who:

a. Practices or offers to practice civil, electrical, or mechanical engineering in this State without legal authorization, unless exempt from licensure under the Professional Engineers Act (see Section 4, Questions 3-5).

b. Presents or attempts to file as his or her own the license of another.

c. Gives false evidence of any kind to the Board or to any member thereof, in obtaining a certificate.

d. Impersonates or uses the seal of any other practitioner.

e. Uses an expired or revoked license.

f. Represents himself or herself as, or uses the title of, registered or licensed Civil, Electrical, or Mechanical Engineer or any other title whereby such person could be considered as practicing or offering to practice civil, electrical, or mechanical engineering, unless he or she is correspondingly qualified by licensure as a Civil, Electrical, or Mechanical Engineer under the Professional Engineers Act.

g. Unless appropriately licensed, manages, or conduct as manager, proprietor, or agent, any place of business from which civil, electrical, or mechanical engineering work is solicited, performed, or practiced.

h. Uses the title, or any combination of such titles, of "Professional Engineer," "Registered Engineer," "Licensed Engineer," or any of the branch titles specified in B&P Code Section 6732, or either of the authority titles specified in B&P Code Section 6763, or the title "Engineer-In-Training," or who makes use of any abbreviation of such title which might lead to the belief that he or she is a licensed engineer without being licensed as required by the Professional Engineers Act.

i. Uses the title "Consulting Engineer" without being licensed as required by the Professional Engineers Act or without being specifically authorized to use such title pursuant to certain exemptions.

j. Violates any provision of the Professional Engineers Act.

(B & P 6785, 6786, 6787)

5: Q2. ***What are the grounds for and the procedures for disciplinary proceedings against engineers licensed under the Professional Engineers Act in California in connection with offenses against that Act?***

5: A2. a. The Board may take disciplinary action against any engineer:

(1) Who has been convicted by a court of a crime substantially related to the qualifications, functions and duties of a Licensed Professional Engineer, in which case the certified record of conviction shall be conclusive evidence thereof.

(2) Who has been found guilty by the Board of any deceit, misrepresentation, breach of contract, fraud, negligence or incompetency in his or her practice.

(3) Who has been found guilty of any fraud or deceit in obtaining his or her license

(4) Who aids or abets any person in the violation of any provisions of the Professional Engineers Act or the Professional Land Surveyors Act.

(5) Who violates any provision of the Professional Engineers Act.

b. The proceedings against the engineer shall be conducted in accordance with Chapter 5 of Part I of Division 3 of Title 2 of the Government Code. (See Section 5, Question 4).

c. A plea or verdict of guilty or a conviction of a criminal complaint following a plea of nolo contendere made to a charge substantially related to the qualifications, functions and duties of a licensed Professional Engineer is deemed to be a conviction within the meaning of the Act. The Board may impose appropriate discipline, or may decline to issue a certificate, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw a plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information or indictment.

d. A crime or act considered substantially related to the qualifications, functions and duties of a professional engineer if, to a substantial degree, it evidences present or potential unfitness of a professional engineer to perform the functions authorized by his or her license in a manner consistent with the public health, safety or welfare.

(B&P 125, 495, 6775, 6776, 6777, 6779; CCR 416)

5: Q3. If it is suspected that someone has violated the Professional Engineers Act, how may this information be reported to the Board?

5: A3. If a person has information concerning alleged violations of the Professional Engineers Act, this information may be communicated by writing to the Board at its headquarters, or by calling the Board at (916) 263-2233 or (916) 263-2250, and discussing the matter with the Board's Enforcement Unit. The staff of that unit will discuss the matter with the complainant. After the discussion, if there appears reasonable grounds to believe that a violation has occurred which is within the Board's jurisdiction, the staff will send that person a complaint form to complete and will explain what other evidence should be provided.

(B&P 6775, 6785)

5: Q4. ***After the Board receives a complaint, how does it proceed with processing the complaint?***

5: A4. The Board's staff may mediate the complaint between the parties involved to their mutual satisfaction, may investigate the complaint itself, or may employ the Division of Investigation, Department of Consumer Affairs, to perform the investigation.

For complaints against a licentiate of the Board, after the completion of the investigation, the Executive Officer (EO) may close the case if insufficient evidence exists, or may refer the case to the Attorney General for drafting an accusation against the licentiate (respondent) if the evidence indicates reasonable grounds that an offense against the Act occurred. The case is then scheduled to be heard (administrative adjudication) before an Administrative Law Judge (ALJ). The ALJ, after the close of the hearing, drafts a proposed decision setting forth the findings. The Board considers the proposed decision in closed session at one of its regularly scheduled meetings. The Board reviews the proposed decision and may adopt it as drafted or lower the penalty and adopt it, or non-adopt it. If it is non-adopted, the Board may either remand it back to the ALJ for additional hearing or order a transcript of the initial hearing, review the transcript, and then adopt the proposed decision or increase, or decrease the proposed penalty. Alternatively, the Attorney General may enter into a stipulation with the licentiate on behalf of the EO prior to the administrative hearing. The EO then presents the stipulation to the Board for acceptance or rejection.

In the case of charges of unlicensed activity against individuals who are alleged to have violated the Professional Engineers Act, the EO may close the case if insufficient evidence exists, may turn the evidence over to the District Attorney in whose jurisdiction the offense occurred for criminal prosecution, may issue an administrative citation under the Board's authority.

In either case, licensed or unlicensed, the Board may also request that the Attorney General's Office seek a court injunction and/or a hearing and a court-imposed temporary restraining order, prohibiting continued activities which constitute violations.

(B&P 125.5, 125.9, 146.5, 148, 149, 7321, 6775, 6785, 6786, CCR 472, 473)

5: Q5. ***How long does it take after the Board receives a complaint for the matter to be resolved?***

5: A5. It is customary, except in unusual circumstances, for the Board's staff to conclude its portion of the complaint handling process within 90 days of the date of receipt of the complaint. This, of course, includes only cases where the staff can mediate a solution between disputing parties or otherwise obtain compliance on its own. If the matter is such that it must be referred to the criminal justice system for prosecution, or to the Attorney General for the preparation of a formal accusation, then it will take much longer to resolve.

5: Q6. ***What are the penalties which may be imposed for violation of the Professional Engineers Act?***

5: A6. a. For persons who are <u>not</u> licensed and who are acting in the capacity of a licensee under jurisdiction of the Board:

(1) Every such person is guilty of a misdemeanor; and, for each offense against the Professional Engineers Act of which convicted, is punishable by a fine imposed by a court of law of not more than $1,000 or by imprisonment for a period not to exceed three months, or by both fine and imprisonment.

(2) Effective September 15, 1995, pursuant to Title 16 California Code of Regulations section 472, the Board is authorized to issue citations containing an order of abatement or an administrative fine up to $2500 against individuals who have committed any acts which constitute violations of the Professional Engineers Act or regulations of the Board.

b. For persons who are licensed and who are thus under the Board's jurisdiction:

(1) The Board may reprove, privately or publicly, may suspend for a period not to exceed two years, or may revoke the license of any licensed engineer.

The Board may also reissue a certificate to any person whose certificate has been revoked if a majority of the members of the Board vote in favor of such reissuance for reasons the

Board deems sufficient.

(2) Effective September 15, 1995, pursuant to Title 16 California Code of Regulations section 473, the Board is authorized to issue citations containing an order of abatement or an administrative fine up to $2500 against professional engineers who have committed any acts or omissions which constitute violations of the Professional Engineers Act or Regulations of the Board

(3) If it is determined that an individual who is not exempt from licensure is advertising in a telephone directory without legal authorization, the Executive Officer may issue a citation requiring the cited person to both cease the unlawful advertising and notify the telephone company to disconnect the telephone services. In addition, subsequent calls to that number shall not be referred to any new number obtained by that person and the cited person must show evidence of compliance to the Executive Officer.

(B&P 125.9, 148, 149, 6775, 6787)

I N D E X